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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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RONALD COLLINS,

Plaintiff,

v.

ROMEO ARANAS, *et al.*,

Defendants.

Case No. 3:17-cv-00417-MMD-WGC

ORDER

**I. DISCUSSION**

Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections (“NDOC”), has filed a first amended civil rights complaint pursuant to 42 U.S.C. § 1983, a motion to file a supplemental pleading to that first amended complaint with a supplemental pleading, and another two supplements to the first amended complaint. (ECF No. 5, 8, 8-1, 12, 13). Plaintiff also has filed an application for leave to proceed *in forma pauperis*. (ECF No. 4). The matter of the filing fee shall be temporarily deferred.

It appears to the Court that Plaintiff seeks to amend claim three of his first amended complaint. The Court will not piecemeal documents together to determine whether Plaintiff states a colorable claim in his first amended complaint. The Court therefore declines to screen Plaintiff’s first amended complaint at this time and grants Plaintiff leave to file a second amended complaint.

1 If Plaintiff chooses to file a second amended complaint, he is advised that an  
2 amended complaint supersedes (replaces) the original complaint and, thus, the amended  
3 complaint must be complete in itself. See *Hal Roach Studios, Inc. v. Richard Feiner &*  
4 *Co., Inc.*, 896 F.2d 1542, 1546 (9th Cir. 1989) (holding that “[t]he fact that a party was  
5 named in the original complaint is irrelevant; an amended pleading supersedes the  
6 original”). Plaintiff’s second amended complaint must contain all claims, defendants, and  
7 specific factual allegations that Plaintiff wishes to pursue in this lawsuit. Moreover, Plaintiff  
8 must file the second amended complaint on this Court’s approved prisoner civil rights form  
9 and it must be entitled “Second Amended Complaint.” Plaintiff is advised to follow the  
10 instructions on the form and, for each claim, allege the particular facts that show how each  
11 particular Defendant violated his civil rights.

12 Plaintiff’s April 18, 2018 Motion to File Attached Supplemental Pleading Claim  
13 Three (ECF No. 8) is denied and Plaintiff’s June 27, 2018 Supplement (ECF No. 12) and  
14 July 30, 2018 Supplement (ECF No. 13) shall be struck from the docket as all claims,  
15 defendants, and specific factual allegations that Plaintiff wishes to pursue in this litigation  
16 must be contained within either the first amended complaint or the second amended  
17 complaint, should Plaintiff choose to file a second amended complaint.

18 The Court notes that, if Plaintiff chooses to file a second amended complaint,  
19 Plaintiff shall file the second amended complaint within thirty (30) days from the date of  
20 entry of this order. If Plaintiff chooses not to file a second amended complaint, the Court  
21 will screen Plaintiff’s first amended complaint (ECF No. 5) only.

## 22 **II. Conclusion**

23 It is therefore ordered that a decision on the application to proceed *in forma*  
24 *pauperis* (ECF No. 4) is deferred.

25 It is further ordered that Plaintiff’s April 18, 2018 Motion to File Attached  
26 Supplemental Pleading Claim Three (ECF No. 8) is denied.

27 It is further ordered that Plaintiff’s June 27, 2018 Supplement (ECF No. 12) and  
28 July 30, 2018 Supplement (ECF No. 13) shall be struck from the docket.

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2 It is further ordered that, if Plaintiff chooses to file a second amended complaint, as  
3 outlined in this order, Plaintiff shall file the second amended complaint within thirty (30)  
4 days from the date of entry of this order.

5 It is further ordered that the Clerk of the Court shall send to Plaintiff the approved  
6 form for filing a § 1983 complaint, instructions for the same, and copies of his first  
7 amended complaint (ECF No. 5), his April 18, 2018 Motion to File Attached Supplemental  
8 Pleading Claim Three and attached supplemental pleading (ECF No. 8, 8-1), and his June  
9 27, 2018 and July 30, 2018 Supplements with exhibits (ECF No. 12, 13). If Plaintiff  
10 chooses to file a second amended complaint, he must use the approved form and he shall  
11 write the words "Second Amended" above the words "Civil Rights Complaint" in the  
12 caption.

13 It is further ordered that, if Plaintiff chooses to file a second amended complaint,  
14 the Court will screen the second amended complaint in a separate screening order.

15 It is further ordered that, if Plaintiff chooses not to file a second amended complaint  
16 within thirty (30) days, the Court will screen Plaintiff's first amended complaint (ECF No.  
17 5) only.

18 DATED: July 30, 2018.

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21 UNITED STATES MAGISTRATE JUDGE  
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